EXHIBIT B

Cazares, Steve

From:

Coopersmith, Jeff

Sent:

Wednesday, April 17, 2019 10:10 AM

To:

Cazares, Steve; Gorton, Kelly

Subject:

FW: SEC v. Balwani/FDA and CMS motions

I will be in LA and on my way to the aiport but could probably call in at around 11:30 am. Does that work for you as well?

From: Falk, Rebecca (USACAN) < Rebecca. Falk@usdoj.gov>

Sent: Wednesday, April 17, 2019 9:53 AM

To: Coopersmith, Jeff < JeffCoopersmith@dwt.com>

Cc: Cazares, Steve <SteveCazares@dwt.com>; Gorton, Kelly <KellyGorton@dwt.com>

Subject: RE: SEC v. Balwani/FDA and CMS motions

[EXTERNAL]

Jeff-

I'm available Wednesday, April 24 from 10-noon if there is a time in that window that works for you.

Best regards, Rebecca A. Falk Assistant United States Attorney United States Attorney's Office Northern District of California 450 Golden Gate Avenue, 9th Floor San Francisco, California, 94102

T: 415-436-7022 F: 415-436-6748

From: Coopersmith, Jeff < JeffCoopersmith@dwt.com >

Sent: Tuesday, April 16, 2019 5:02 PM

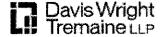
To: Falk, Rebecca (USACAN) < rfalk@usa.doj.gov>

Cc: Cazares, Steve <SteveCazares@dwt.com>; Gorton, Kelly <KellyGorton@dwt.com>

Subject: RE: SEC v. Balwani/FDA and CMS motions

Rebecca, in reviewing the government's portions of these joint statements, I have a few questions to help frame the dispute for the court or perhaps narrow the disputes. Can we set up a call? Thanks.

Best,



Jeffrey B. Coopersmith | Partner 920 Fifth Avenue, Suite 3300 | Seattle, WA 98104 Tel: (206) 757-8020 | Fax: (206) 757-7020 | Mobile: (206) 708-9396

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From: Falk, Rebecca (USACAN) < Rebecca. Falk@usdoj.gov >

Sent: Thursday, April 11, 2019 1:09 PM

To: Coopersmith, Jeff < JeffCoopersmith@dwt.com >

Cc: Byer, Ben <BenByer@dwt.com>; Cazares, Steve <SteveCazares@dwt.com>; Gorton, Kelly <KellyGorton@dwt.com>;

McDowell, Amanda < AmandaMcDowell@dwt.com >; lamarcas@sec.gov; katzma@sec.gov

Subject: RE: SEC v. Balwani/FDA and CMS motions

[EXTERNAL]

Jeff -

Attached please find both the FDA and CMS's contributions to the consolidated discovery letters for each agency.

You have my concurrence to file these letters in their current iteration. To the extent there are any changes to Mr. Balwani's statement, please send to me prior to filing so the agencies can respond.

I will not have any access to email until Monday. If you have any questions, I'll get back to you then.

Best regards, Rebecca A. Falk Assistant United States Attorney United States Attorney's Office Northern District of California 450 Golden Gate Avenue, 9th Floor San Francisco, California, 94102

T: 415-436-7022 F: 415-436-6748

From: Coopersmith, Jeff < JeffCoopersmith@dwt.com >

Sent: Thursday, April 4, 2019 7:10 PM

To: Falk, Rebecca (USACAN) < rfalk@usa.doj.gov>

Cc: Byer, Ben < BenByer@dwt.com >; Cazares, Steve < SteveCazares@dwt.com >; Gorton, Kelly < KellyGorton@dwt.com >;

McDowell, Amanda < AmandaMcDowell@dwt.com >; lamarcas@sec.gov; katzma@sec.gov

Subject: Re: SEC v. Balwani/FDA and CMS motions

Thanks Rebecca. Getting the government's responses by April 12 is fine.

Sent from my iPhone

On Apr 4, 2019, at 18:17, Falk, Rebecca (USACAN) < Rebecca. Falk@usdoj.gov > wrote:

[EXTERNAL]

Dear Jeff -

The agencies are reviewing the drafts you sent. The government will provide responses by April 12. As one of your letters is dated March 22, it seems your team has had time to consider these issues, and the government requires the same.

Best regards, Rebecca A. Falk Assistant United States Attorney United States Attorney's Office Northern District of California 450 Golden Gate Avenue, 9th Floor San Francisco, California, 94102

T: 415-436-7022 F: 415-436-6748

From: Coopersmith, Jeff < JeffCoopersmith@dwt.com >

Sent: Tuesday, April 02, 2019 6:45 PM

To: Falk, Rebecca (USACAN) < rfalk@usa.doj.gov>

Cc: Byer, Ben < BenByer@dwt.com >; Cazares, Steve < SteveCazares@dwt.com >; Gorton, Kelly < KellyGorton@dwt.com >; McDowell, Amanda < AmandaMcDowell@dwt.com >; lamarcas@sec.gov;

katzma@sec.gov

Subject: SEC v. Balwani/FDA and CMS motions

Dear Rebecca,

I'm attaching two motions to compel, one addressing the issues regarding FDA and one addressing the issues regarding CMS. Each follows Judge Cousins's standing order providing that discovery disputes shall be addressed in a consolidated 5-page statement. We've included our positions and left space for the government's positions. We intend to file these motions no later than April 9, 2019, which allows plenty of time for the government to provide its portions. We look forward to receiving that from you. Thank you.

Best,



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